

depend from, and add additional elements to, claim 36, Applicants submit that these claims are also patentable over Morrison. Withdrawal of this rejection is respectfully requested.

Claims 36 and 38-43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by USPN 5,314,554 to Owens. The Examiner apparently argues that Owens teaches a method of producing a laminated tile comprising 60-75 wt% silica and 15-25 wt% alumina. The Examiner is understood to assert that the coefficient of friction is an inherent property of the tile itself. Applicants respectfully traverse this rejection.

As stated above, claim 36 presently recites that the tile floor surface has a tile with a modified structure. The tile is modified due to the removing of a substantial amount of softer components of the tile, while leaving a substantial amount of hard components of the tile in place, so as to produce a tile floor surface having a coefficient of friction comparable to that of a new tile. Applicants submit that Owens does not disclose a floor surface that is structurally modified in this manner. Claim 36, therefore, is patentable over Owens. Since claims 38-42 each depend from, and add additional limitations to, claim 36, Applicants submit that these claims are also patentable over Morrison. Withdrawal of this rejection is respectfully requested.

35 U.S.C. § 103(a)

Claims 36 and 38-42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,787,655 to Saylor, Jr. in view of USPN 4,745,032 to Morrison and USPN 4,698,249 to Brown. The Examiner apparently argues that Saylor teaches a polymer film with beads that can be aluminum silicate, silicon dioxide, or aluminum oxide. The

Examiner is further understood to state that Morrison teaches an article comprising 35-70 wt% silicon dioxide and 20-40 wt% aluminum oxide suitable for tile surfaces, and that Brown specifically teaches a ceramic tile. The Examiner concluded it would have been obvious to one of ordinary skill in the art to modify the components of Saylor to specify the weight percentages of Morrison in the use of ceramic tile as taught by Brown.

Applicants respectfully traverse this rejection. As stated above, claim 36 presently recites that the tile floor surface has a tile with a modified structure. The modified tile results from removing a substantial amount of softer components of the tile, while leaving a substantial amount of hard components of the tile in place, so as to produce a tile floor surface having a coefficient of friction comparable to that of a new tile.

Applicants submit that none of Saylor, Morrison, or Brown disclose a tile floor surface that has a modified structure as recited in claim 36. Applicants submit, therefore, that even the combination of these references does not result in a tile floor surface having all the limitations of claim 36. Claim 36, therefore, is patentable over Saylor in view of Morrison and Brown. Since claims 38-42 each depend from, and add additional limitations to, claim 36, Applicants submit that these claims are also patentable over Saylor in view of Morrison and Brown. Withdrawal of this rejection is respectfully requested.

SUMMARY

Applicants submit that all pending claims are in condition for allowance, and notice to that effect is earnestly solicited. The Examiner is invited to contact Applicants' representative at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Dated: 27 Mar 03

Respectfully submitted,

MERCHANT & GOULD, P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

By: Mark DiPietro
Mark DiPietro
Reg. No. 28,707

VERSION WITH MARKUPS TO SHOW CHANGES MADE

36. (Amended) A tile floor surface with a modified structure having a surface composition comprising about 50-66 wt% silicon and about 17-25 wt% aluminum, wherein the modification results from removing a substantial amount of softer components of the tile, while leaving a substantial amount of hard components of the tile in place, so as to produce a tile floor surface having a coefficient of friction comparable to that of a new tile.